

Mr. Ralph McIntosh
NOV No. R9-2008-0154
Ramona, California

- 2 -

November 21, 2008

If you have any questions or need further clarification, please contact Ms. Cathryn Henning via phone at (858) 636-3161 or via e-mail at chenning@waterboards.ca.gov.

Sincerely,



Julie Chan
Supervising Engineering Geologist
Groundwater Basins Branch

jc:clc:clh

Enclosure: Notice of Violation No. R9-2008-0154

CIWQS Entries:

Regulatory Measure: 355042

Place: 255468

Party: 38180

cc: **[via email]**

Matt Whitman, Reclaimed Water Use Supervisor, Spangler Peak Ranch
Robert G. Atkins, Agricultural Commissioner, County of San Diego Dept. of Agriculture,
Weights and Measures

State Water Resources Control Board, Office of Enforcement

David Boyers

Richard McHenry

Jim Barrett, Water Department Director, City of San Diego

Paul Richter, California Department of Public Health

Ken Weinberg, Director of Water Resources, San Diego County Water Authority

Ken Greenberg, U.S. Environmental Protection Agency

California Environmental Protection Agency



California Regional Water Quality Control Board San Diego Region



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Secretary for
Environmental Protection

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November 21, 2008

IN THE MATTER OF

San Vicente Water Reclamation Plant
22758 San Vicente Rd.
Ramona, CA

NOTICE OF VIOLATION
NO. R9-2008-0154

WDID NO.
9 000000076

In reply refer to:
CGW:255468:chenning

Order No. R9-1993-0003 issued to the Ramona Municipal Water District

Site: San Vicente Water Reclamation Plant, 22758 San Vicente Road,
Ramona, CA

YOU ARE HEREBY NOTIFIED THAT:

The Ramona Municipal Water District (Discharger) is in violation of waste discharge requirements issued by the California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board) in Order No. R9-1993-0003 for discharges from the San Vicente Water Reclamation Plant. Certain violations also constitute violations of the Water Quality Control Plan for the San Diego Basin (hereinafter Basin Plan). Such violations subject you to enforcement action by the Regional Board, including administrative enforcement orders to clean up waste and abate existing or threatened conditions of pollution or nuisance; administrative civil liability in the amounts of \$5,000 per day per violation;¹ referral to the State Attorney General for injunctive relief; and referral to the District Attorney for criminal prosecution.

SUMMARY OF VIOLATIONS:

1. Runoff or the discharge of recycled water to surface waters is a violation of and is prohibited by Order No. 93-03 as follows:
 - a. Reclaimed Water Use Provision D.2. By failing to require the recycled water user to prevent surface runoff of recycled water onto property not owned or controlled by the District or the reclaimed water user, the District has failed to ensure that the use of its recycled water is consistent with the Reclaimed Water Use Provision D.1.i of Order No. 93-03. Provision 1.i is enforced by

¹ Under authority of California Water Code section 13350

Provision D.2, which requires the District to govern use of its recycled water through Rules and Regulations for Reclaimed Water Users.

- b. Reclaimed Water Use Provision D.5. By supplying recycled water to parties (specifically, Spangler Peak Ranch) that use water in a manner which causes pollution, contamination or nuisance, the District has violated Reclaimed Water Use Provision 5 of Order No. 93-03. The discharge of recycled water off-site from Spangler Peak Ranch with concentrations of TDS that exceed Basin Plan water quality objectives contributes to the degradation and pollution of ground and surface water quality.
 - c. Prohibition A.3. The use of recycled water at Spangler Peak Ranch has resulted in sustained ponding and surfacing on lands beyond the disposal area in violation of Prohibition A.3 of Order No. 93-03.
 - d. Prohibition A.9. Prohibition A.9 prohibits the discharge of treated or untreated wastewater to San Vicente Creek or its tributaries. The discharge of recycled water to Spring Wagon Creek via surface or ground water flow paths from the application of reclaimed water at Spangler Peak Ranch constitutes a violation of Prohibition A.9 of Order No. 93-03.
 - e. Provision C.5. The failure of the District to take all reasonable steps, including additional monitoring, to minimize the off-site discharge of recycled water runoff from the Spangler Peak Ranch constitutes a violation of Provision C.5 of Order No. 93-03.
2. The District has failed to submit annual reports to the Regional Board that certify recycled water users have implemented the Rules and Regulations for Reclaimed Water Users established by the District pursuant to Reclaimed Water Use Provision D.1 of Order No. 93-03. Failure to provide an annual certification is a violation of Reclaimed Water Use Provision D.2 of Order No. 93-03. As a result, the Regional Board cannot verify whether the Reclaimed Water Use Provisions of Order No. 93-03 are being met by the recycled water users.

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1. Article Addressed to:
 Ralph McIntosh
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 Ramona, CA 92065-1599

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